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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,913	01/10/2001	Juha Kalliokulju	324-010088-US(PAR)	8324

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PERMAN & GREEN
425 POST ROAD
FAIRFIELD, CT 06824

EXAMINER

CHOUDHURY, AZIZUL Q

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 07/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/757,913

Applicant(s)

KALLIOKULJU ET AL.

Examiner

Azizul Choudhury

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/26/01, 05/20/02</u> | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "partly concurrently" is considered broad. More limiting terminology is requested.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al (US Pat No: US006529527B1), hereafter referred to as Chen.

1. With regards to claims 1 and 12, Chen teaches a method of relocating the header compression context in a packet network which transmits packets having

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compressed headers comprising: establishing a connection between a mobile terminal and a first network entity including storing context information used with compression and decompression of the headers of the packets at the mobile terminal and the first network entity; stopping the context information updating in the mobile terminal and in the first network entity; taking a snapshot of the compression and decompression context information in the first network entity including storing said context information snapshot in the first network entity; and changing the connection between the first network entity and the mobile terminal to a connection between the mobile terminal and a second network entity including transferring the content information snapshot stored by the first network entity to the second network entity which is stored by the second network entity as the context information of the second network entity and using the stored context information at the mobile terminal and the second network entity for compression and decompression of the headers of the packets (Chen's design teaches wireless communication network that uses mobile (column 4, lines 15-28, Chen) and base stations (column 4, lines 54-67, Chen). The network within which these devices function in use compressed headers (column 3, line 3, Chen). In addition, Chen's design allows for the mobile station (such as a mobile phone) to transition its communication from a first base station to a second base station (column 5, lines 5-9, Chen). When such transitions in communication occur, the context information is transferred from the first base station to the second base station as claimed).

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2. With regards to claims 2 and 13, Chen teaches a method wherein: said context information updating is stopped by disabling the mobile terminal and the first network entity decompressors from sending acknowledgements to the compressor of the opposite side (Chen's design allows for the mobile station (such as a mobile phone) to transition its communication from a first base station to a second base station (column 5, lines 5-9, Chen). When such transitions in communication occur, the context information is transferred from the first base station to the second base station. It is inherent that when the context information is transferred from one base station to another, that the context information updating is stopped. It has to be stopped for the transition of base stations to occur).

3. With regards to claims 3 and 14, Chen teaches a method wherein: said content information updating is stopped by stopping the mobile terminal to compress and transmit uplink data and stopping the first network entity to compress and transmit downlink data (Chen's design allows for the mobile station (such as a mobile phone) to transition its communication from a first base station to a second base station (column 5, lines 5-9, Chen). When such transitions in communication occur, the context information is transferred from the first base station to the second base station. It is inherent that when the context information is transferred from one base station to another, that the context information updating is stopped. It has to be stopped for the transition of base stations to occur).

4. With regards to claims 4 and 15, Chen teaches a method wherein: said taking a snapshot of the compression and decompression context information in the first network entity is delayed until said transmitted uplink data and downlink data has been received and decompressed (Chen's design allows for the mobile station (such as a mobile phone) to transition its communication from a first base station to a second base station (column 5, lines 5-9, Chen). When the context information in such situation is transferred from one base station to another, the claimed snapshot must be taken (otherwise known as simply copying the context information). In addition, it is inherent that such a snapshot only may be taken when all the data has been received as claimed. Without all the data having been received, it is of no use to take a snapshot).

5. With regards to claims 5 and 16, Chen teaches a method wherein: said context information updating is stopped by discarding in the first network entity compression/decompression acknowledgements from the mobile terminal (Chen's design allows for the mobile station (such as a mobile phone) to transition its communication from a first base station to a second base station (column 5, lines 5-9, Chen). When such transitions in communication occur, the context information is transferred from the first base station to the second base station. It is inherent that when the context information is transferred from one base station to another, that the context information updating is stopped. It has to be stopped for the transition of base stations to occur. To stop the updating

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between the network entities claimed, it is inherent that stopping their communication (stopping their acknowledgements is the same as stopping communication in network protocols since for communications to proceed in networks, acknowledgements must be received and sent by participating network entities) is required).

6. With regards to claims 6 and 17, Chen teaches a method wherein: said context information updating is stopped by disabling in the first network entity to send compression/decompression acknowledgements to the mobile terminal (Chen's design allows for the mobile station (such as a mobile phone) to transition its communication from a first base station to a second base station (column 5, lines 5-9, Chen). When such transitions in communication occur, the context information is transferred from the first base station to the second base station. It is inherent that when the context information is transferred from one base station to another, that the context information updating is stopped. It has to be stopped for the transition of base stations to occur. To stop the updating between the network entities claimed, it is inherent that stopping their communication (stopping their acknowledgements is the same as stopping communication in network protocols since for communications to proceed in networks, acknowledgements must be received and sent by participating network entities) is required).

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7. With regards to claims 7 and 18, Chen teaches a method wherein: sending a context update request from the first network entity to the second network entity, in response to a detection of a context update request sent by the mobile terminal in the first network entity; and sending the first packet from the second network entity to the mobile terminal as a packet containing said context update request (Chen's design allows for the mobile station (such as a mobile phone) to transition its communication from a first base station to a second base station (column 5, lines 5-9, Chen). Since such transitions in communication occur in Chen's design, means by which to perform the claimed steps must be present within Chen's design).

8. With regards to claims 8 and 19, Chen teaches a method wherein: sending a context update request from the first network entity to the second network entity, in response to a detection of out-of-synchronism of the context information in the first network entity; and sending the first packet from the second network entity to the mobile terminal as a packet containing said context update request (Chen's design allows for synchronization and resynchronization (column 5, lines 19-58, Chen), hence means for out-of-synchronization must be present).

9. With regards to claims 9 and 20, Chen teaches a method wherein: transferring the context information snapshot stored by the first network entity to the second network entity before changing the connection between the first

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network entity and the mobile terminal to a connection between the mobile terminal and a second network entity (Chen's design allows for the mobile station (such as a mobile phone) to transition its communication from a first base station to a second base station (column 5, lines 5-9, Chen). When the context information in such situation is transferred from one base station to another, the claimed snapshot must be taken (otherwise known as simply copying the context information). In addition, it is inherent that such a snapshot only may be taken when all the data has been received as claimed. Without all the data having been received, it is of no use to take a snapshot).

10. With regards to claims 10 and 21, Chen teaches a method wherein: said method is used in accordance with Robust Header Compression (ROHC) implemented in a UMTS system (Chen's design allows for mobile devices such as PDAs and mobile phones (column 4, lines 15-28, Chen). In addition, no limitation is made on protocols, in fact, any protocols that allow for the spirit of the design to remain intact is acceptable (column 11, lines 29-35, Chen). Since ROHC and UMTS are standards used by mobile devices such as PDAs and mobile phones and such devices are permissible within Chen's design, they are permissible within Chen's design).

11. With regards to claim 11, Chen teaches a method wherein: performing said relocation at least partly concurrently with serving radio network subsystem (SRNS) relocation (Chen's design allows for mobile devices such as PDAs and

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mobile phones (column 4, lines 15-28, Chen) (both of which use radio signals).

In addition, no limitation is made on protocols, in fact, any protocols that allow for the spirit of the design to remain intact is acceptable (column 11, lines 29-35, Chen). Since SRNS is a standard used by mobile devices such as PDAs and mobile phones and such devices are permissible within Chen's design, they are permissible within Chen's design).

Remarks

After careful review of the application, the examiner failed to note any truly unique traits within the design claimed. The claims provided are seen as being general and would benefit from the inclusion of more detailed specifications. In particular, more detailed steps regarding the context header transmission along with what occurs precisely during the switch from a first network entity to a second network entity. Furthermore, should the applicants have any further details regarding their design that would present their design as being truly unique over the prior art provided by the examiner, they are encouraged to amend the specifications and claims to reflect such changes.

Conclusion

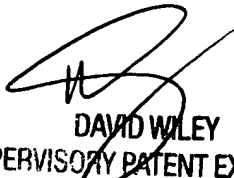
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is 703-305-7209. The examiner can normally be reached on M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AC



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